

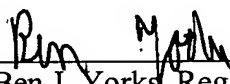
REMARKS

The Examiner rejected claims 1-4, 6-9 and 11-19 under 35 U.S.C. §103(a) as being unpatentable over Stevens in view of Telepko. The Examiner rejected claims 10, 11, 20 and 26 under 35 U.S.C. §103(a) as being unpatentable over Rudell in view of Telepko. The Examiner states that it is his opinion the claims are obvious even absent disclosure of Telepko col. 21, line 31-38. The claims require an indicator that provides an indication of a time count before activation of a motor. Neither Stevens, Rudell or Telepko disclose this limitation. Consequently, the combination of Stevens and Telepko do not disclose all of the limitations of claims 1-4, 6-9 and 11-19. Likewise, the combination of Rudell and Telepko do not disclose all of the limitations of claims 10, 11, 20-26. The Examiner takes Judicial notice that starting a jump rope session by counting 1-2-3 is known in the art. The claims specifically recite an indicator that provides an indication of a time count, not someone counting 1-2-3. The Examiner has not provided any examples in the prior art wherein an apparatus that moves a jumping element has an indicator that provides an indication of a time count before activation of the motor. The Applicant submits that claims 1-4, 6-9 and 11-19 are patentably distinct from the combination of Stevens and Telepko. Furthermore, claims 10, 11 and 20-26 are patentably distinct from Rudell in view of Telepko.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections is requested. Allowance of claims 1-4, 6-14 and 15-26 at any early date is solicited.

Respectfully submitted,
IRELL & MANELLA LLP

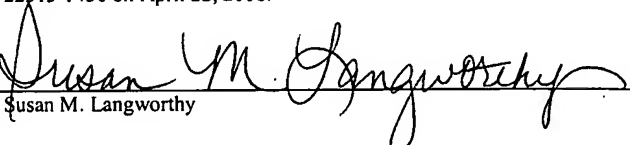
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Susan M. Langworthy

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